

**UNITED STATES DISTRICT COURT
IN THE DISTRICT OF MASSACHUSETTS**

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**ENCOMPASS INSURANCE COMPANY OF
MASSACHUSETTS,**

Plaintiff

Case No.: 05-11693 (RCL)

v.

**JOSEPH D. GIAMPA, FREDERICK T.
GIAMPA, ADVANCED SPINE CENTERS, INC.,
d/b/a FIRST SPINE REHAB, FUTURE
MANAGEMENT CORPORATION, FUTURE
MANAGEMENT BUSINESS TRUST,
EDWARD KENNEDY, BRIAN J. CULLINEY,
D.C., and JENNIFER McCONNELL, D.C.,**

Defendants.

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)

With respect to the Defendants Joseph D. Giampa, Frederick T. Giampa, Advanced Spine Centers, Inc., d/b/a First Spine Rehab, Future Management Corporation's Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) and 9(b), the undersigned hereby certifies pursuant to Local Rule 7.1(a)(2) that I have conferred with counsel to the Plaintiff and have attempted in good faith to resolve or narrow the issues which are the subject of the Motion. Despite such efforts, the issues cannot be narrowed or resolved.

Dated: September 15, 2005

The Defendants
Joseph D. Giampa
Frederick T. Giampa
Advanced Spine Centers, Inc., d/b/a First Spine
Rehab
Future Management Corporation

By counsel

/s/ Matthew J. Conroy
Matthew J. Conroy, Esq. (BBO#566928)
BELESI & CONROY, P.C.
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Lexington, Massachusetts 02421
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CERTIFICATE OF SERVICE

I, Matthew J. Conroy do hereby certify that a true and accurate copy of the foregoing was mailed, United States Mail, 1st Class, postage prepaid this 15th day of September 2005 to all counsel of record in this matter.

/s/ Matthew J. Conroy _____
Matthew J. Conroy